IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.19303 of 2008
MD.MINHAZUDDIN & ANR
Versus
STATE OF BIHAR
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4 **24.09.2008** Heard learned counsels for the petitioners and the State.

Petitioners are an accused in a case registered for the offence under sections 363, 364, 365 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that on perusal of the complaint it would appear that the allegation are false.

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Learned counsel appearing for the opposite party no.2 has filed a show cause stating therein to the effect that there are large number of criminal cases pending against the petitioner no.1 namely, Md. Minhazuddin, and as such, he is not having clean antecedent.

In view of the above, I am not inclined to grant the privilege of anticipatory bail to the above named petitioner no.1. His prayer for grant of bail is, accordingly, rejected.

As regards the prayer for bail on behalf of the petitioner no.2, it is submitted that the only allegation against him is that he was assuring the complainant that his son will come back.

Considering the above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner no.2, namely, Md. Zahid be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Complaint Case No. 2540 C of 2006 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**Manish/-** **( Shailesh Kumar Sinha,J.)**

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